

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

SECRETARIAT OFFICE MANUAL – Amendment – orders-issued.

GENERAL ADMINISTRATION (IC) DEPARTMENT

G.O.Ms.No 90

Dated:04-03-2010.

ORDER:-

The following amendment is issued to the Andhra Pradesh Secretariat Office Manual' :

AMENDMENT

For instructions 33 of the said Manual, the following shall be substituted, namely , --

"33 CHANNEL OF COMMUNICATION BETWEEN STATE GOVERNMENTS AND (A) FOREIGN DIPLOMATIC MISSIONS IN INDIA; (B) INDIAN MISSIONS ABROAD; AND (C) FOREIGN GOVERNMENTS.

A. Between State Governments and Foreign Diplomatic Missions in India:

(1). All official communications with Foreign Diplomatic Missions in India should normally be addressed to and by the Ministry of External Affairs. Should any communication be addressed by a foreign Mission direct to a State government, including invitations to Ministers, senior Government officials, etc, to visit abroad, the latter should consult the Ministry of External Affairs at the earliest opportunity. A reply will be sent by the Ministry of External Affairs who may, alternatively, ask the state Government to send a reply adding a polite request that such communications should, in future, be addressed to the Ministry of External Affairs.

(2). There is no objection to direct correspondence between the Consuls general, Consuls and Trade Representatives of foreign Governments and the Deputy High Commissioners of Commonwealth countries in India on the one hand, and State Governments on the other on routine matters such as a request for factual information of a non-confidential nature on technical subjects. When in doubt, the advice of the Ministry of External Affairs should invariably be obtained. If security considerations arise, the Ministry of Home Affairs and/or the Ministry of External Affairs should be consulted.

(3). Correspondence, which relates to a matter involving, directly or indirectly, a question of policy or one, which, though not initially, may eventually raise a policy, should be made only through the Ministry of External Affairs.

(4). The Registrars General of Births, Deaths and Marriages of States in India may forward directly to the foreign Missions concerned, certificates of births, deaths and marriages, in respect of foreign nationals.

B. Between State Governments and Indian Missions in foreign countries

(1) There may be direct correspondence between State Governments and the Indian Missions abroad on routine matters provided copies of such correspondence are endorsed to the Ministry of External Affairs as well as to the Administrative Ministry concerned.

(2). The following types of cases belong to this category:

(i) Enquiries relating to births deaths, residential addresses, antecedents, whereabouts and welfare of Indian nationals residing abroad or in India:

(ii) Verification of statements that may have been made by certain applicants for securing Indian or foreign travel documents;

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(iii) Verification of the services of ex-employees of foreign governments, their medical examinations, etc, and vice-versa; and

(iv) Petitions and complaints from Indian nationals asking for miscellaneous kinds of assistance either from a Mission abroad or State Government in India.

(3). Correspondence on the following shall continue to be channelled through the Ministry of External Affairs:

(i) Transmission of judicial documents. Once, however, the documents have been transmitted all further correspondence in the matter may take place between the State Government concerned, and Indian Missions abroad, copies of correspondence being sent to the Ministry of External Affairs for information.

(ii) Subordinate offices of the State Governments are not authorized to correspond with the Indian Missions.

Exceptions:

(i) Between a Licensing Authority and Indian Missions abroad – Licensing authorities in India authorized to issue Indian Arms Act and the Rules framed thereunder, may enter into direct correspondence with the concerned Indian Missions abroad in connection with the renewal of a licence granted by the latter; copies of the communications made should, however, be simultaneously endorsed to the Ministry of External Affairs;

(ii) Between Directors of Public Instruction/Education and Indian Missions – Directors of public Instruction/Directors of Education or other officers holding equivalent posts in the States, may correspond direct with Indian Missions abroad in reply to the latter's request for verification of the educational qualifications and service rendered by teachers who were initially employed in India;

(iii) Between the Registrars General of Births, Deaths and Marriages and Indian Missions – When an Indian Mission or post abroad is approached by an Indian citizen for a copy of a certificate of birth, death or marriage, the Mission may enter into direct correspondence with the Registrar General of Births, Deaths and Marriages of the State Government concerned. The Mission or Post should also recover, on behalf of the Registrar General the requisite fee for the issue of such a certificate. The head of account to which such a fee is to be credited shall be indicated by the Registrar General; and

(iv) When a foreign Government approaches an Indian Mission for the grant of an emergency certificate to a person of Indian origin to enable that Government to deport such person to India for violating local laws, the Mission, unless specific orders to the contrary exist, should contact the district authorities in India directly and satisfy itself that the person concerned is an Indian Citizen in accordance with the Constitution of India or/and the Citizenship Act, 1955, and in accordance with such executive instructions as the Government of India may have issued or may issue in future in regard to citizenship. Copies of all such correspondence should simultaneously be endorsed to the Ministry of External Affairs. (If a Mission/Post abroad considers that a particular deportation has political implications, or if there is large-scale deportation of Indian nationals, it should obtain the prior orders of the Government of India from the Ministry of External Affairs, before issuing emergency certificate to or agreeing to the deportation of the persons concerned.)

C. Between State Governments and Foreign Governments

State Governments should not correspond directly with foreign Governments. Normally, such communications are not acted upon by the foreign Governments concerned, but are made over by them to the appropriate Indian authority. The proper channel of communication with foreign governments is the government of India in the Ministry of External Affairs and the Indian Diplomatic Mission/Post in the country concerned, or, where there is no Indian representative, channel deemed appropriate by the Ministry of External Affairs.

Indian Courts responsible for enforcing foreign maintenance orders may correspond directly with foreign courts in routine matters relating to such maintenance orders, and in the remittance of payments due under them.

D. CHANNEL OF COMMUNICATION BETWEEN CENTRAL/STATE GOVERNMENTS AND PRIVATE INDIVIDUAL/ ORGANISATIONS ABROAD

Ministries of the Government of India, their attached and subordinate offices, State Governments and other Governmental organizations in India may, in the transaction of day-to-day business correspond directly with appropriate individuals, non-official organizations in foreign countries, provided that copies of all such correspondence are endorsed to the Indian diplomatic or consular representatives concerned and to the Ministry of External Affairs so as to keep them fully informed and to enable them to provide any further information or advice that may be sought by such organization as well as to make them directly aware of the relations between such organizations and Indian authorities. Ministry of Overseas Indian Affairs may also directly communicate with overseas Indians and their organizations /associations on matters falling within its mandate provided the bonafides of local organisations are checked from Indian Missions /Posts concerned.

The term Governmental organizations also include Committees, District boards, bodies of Port Commissioners or other authorities legally entitled to or entrusted by the Government with the control or the management of Municipal or a local fund.

E BETWEEN LOCAL BODIES AND FOREIGN GOVERNMENTS

Local bodies should be advised by the state governments that when they receive a communication from abroad, including invitations to visit abroad, they should refer it to the state Government, along with the proposed reply for instructions. If the matter under correspondence is of a routine and non-political character and the communication is not from a foreign Government authority, the State government may authorize the local bodies to send a reply direct. If, however, a political issue is raised, or it appears that the correspondence may have important or embarrassing implications, the advice of the Government of India in the Ministry of External Affairs should be sought.

F. CHANNEL OF COMMUNICATION BETWEEN THE GOVERNMENT OF INDIA AND U.N. AND ITS SPECIALISED AGENCIES AND OTHER INTER GOVERNMENTAL ORGANISATIONS

MEA is the nodal Ministry for correspondence with the UNO and all its specialized agencies. All correspondence with the United Nations and its specialized agencies, regional economic commissions, international organizations and other inter-Governmental organizations, should normally be conducted only by the Ministry of External Affairs either directly or through the Permanent Mission of India to the United Nations at New York and Geneva. To enable the Ministry of External Affairs and, where necessary, the Permanent Missions of India at New York / Geneva to maintain their records properly, two spare copies of each such communication should invariably be attached to the original when sent to the Ministry of External Affairs for onward transmission.

Correspondence on routine matters may, however, be addressed to the specialised agencies/and subsidiary organs of the United Nations direct, by the various Ministries concerned, provided that copies are simultaneously endorsed to the Ministry of External Affairs and where necessary to the Permanent Missions of India at New York / Geneva.

MISCELLANEOUS

(1) The Indian Mission in the country concerned should be kept fully informed about important orders or contracts being placed or negotiated direct with foreign firms or industries by Ministries of the Government of India or other Governmental authorities. Failure to do so places the India Missions concerned in an awkward position when enquiries are made from them in regard to such matters and they have no information on the subject.

(2) **Invitations to foreigners to visit India** – No invitation should be sent by a Government, semi-Government institution, or local body in India to official or non-official delegations from foreign countries to visit India, without consulting the ministry of External Affairs as well as the Ministry of Home Affairs.

(3) **Indian Delegations visiting Foreign countries** – A Government organization intending to send a delegation abroad should be advised that an invitation to send a delegation to visit a foreign country should not be accepted without the knowledge and consent of the Ministry of External Affairs. If the Ministry of External Affairs is not kept in the picture, it may not be possible for it to render facilities in the matter of passports etc, or other necessary assistance to the delegations. If any facilities in a foreign country are required by visitors/visiting delegations from India, the Ministry of External Affairs should be approached immediately for the purpose. No direct approach in the matter should be made to foreign mission in India. When there is no time to do so, Indian missions abroad may be approached direct, copy of the request being simultaneously endorsed to the Ministry of External Affairs. Communications of this kind should indicate clearly what specific facilities are required. If the visit is one in which the Government of India is directly concerned, it should be specified whether

- (a) transport arrangements are required at the time of arrival and during the visit;
- (b) hotel accommodation is required. If so, status and pay as well as full details of the accompanying families, etc, should be given; and
- (c) any payments have to be made by the Mission abroad. If so, the requisite sanctions should be forwarded as early as possible and positively on arrival of the delegation. All such sanctions should be specific in regard to expenditure to be covered e.g compensatory allowances, the party's entitlement of railway or airfares, daily allowance, etc, and whether any salaries or other allowances are to be paid in foreign currencies.

Indian Missions / posts abroad are placed in an awkward position if Indian visitors for whom they are asked to make appointments and hotel reservations, and secure other facilities without adequate notice, either fail to turn up, or so late that it upsets all their previously arranged programmes. This, apart from affecting the reputation of the Mission concerned, and seriously impairing its capacity in future to make the best arrangements for Indian visitors, generally affects Indian prestige as a whole in country concerned. Therefore, Indian visitors, should strictly adhere to the programme drawn up for them and if, for unavoidable reasons, they are compelled to alter it, they should endeavour to give notice of their inability to do so and make appropriate apologies to all the concerned as early as possible. Therefore, visitors should strictly adhere to the programme drawn for them and if, for unavoidable reasons, they are unable to do so, they should intimate to all the parties concerned well in advance of the necessity and reasons for the change.

Requests for facilities for the inspection of and visits to Governmental or private institutions abroad should be made to the Indian Missions in the countries concerned well in advance, so that whenever it is practicable, full information about their programme may be supplied to them well before they leave India, or at an early date before they arrive in the country to be visited.

It is the duty of the Indian Missions abroad to look after the interests of Indian nationals in foreign countries and render assistance in matters such as accommodation, visas, etc. To enable them to discharge this responsibility, Indian visitors should keep the Missions fully informed of their itinerary well in advance, and failing that, get into direct touch with the Missions immediately on their arrival, and also keep the Missions informed of their subsequent movements.

It is advisable for a visiting Indian delegation, official as well as non-official, to be briefed by the Head of the Indian Mission or by the concerned officer in the Mission, as may be appropriate or practicable, before negotiations with local authorities are started.

When Indian Missions are asked to reserve accommodation for visiting delegations on official business, they shall do their best to obtain the most suitable accommodation available at the authorized rates fixed for such purposes by the Government of India. The accommodation so engaged will be the accommodation officially provided by the Government for the delegation. If, for any reasons, such accommodation is not availed of and consequently some infructuous charges have to be incurred for the cancellation of the reservation made such expenditure shall be debited to the account of the authority under whose direction the accommodation was originally engaged. Officers visiting foreign countries on tours sponsored by the Government should be requested to accept the accommodation that the Indian Missions are able to provide for them. Our Missions abroad are under no obligation and are not equipped to meet any demands on them to arrange hotel accommodation or arrange tours for Indian nationals going abroad on private business and such demands should be strictly discouraged.

(4) **Public bodies and private persons** -- Indian Missions abroad are occasionally approached direct by public bodies in India about proposed exhibitions, sports tournaments, etc, to be brought to the notice of local Governments and other organizations in foreign countries. They are also asked by such bodies to collect information or other materials required by them for some purpose or the other. It is not feasible to direct private persons or public bodies in India to route all their requests to Indian Missions through the Ministry of External Affairs. The question whether and, if so, to what extent such requests should be complied with, is left to the discretion of the Head of the Mission to deal with on its merits. The Mission may politely refuse such requests of private individuals or public bodies and ask them to apply through the Government of India if it thinks that they are unsuitable or not worthwhile complying with.

(5) **Indian Students and Missions abroad** – Indian students applying for educational or practical training abroad from India shall not, as a rule, correspond directly with the Indian Mission concerned. They should apply through the Indian University last attended by them or through the Ministry of Human Resource Development, or of Labour according to whether they are private students, or are already employed in some concern in India. The Ministry of Labour will scrutinize applications for training facilities to the level of Foreman and Ministry of Human Resource Development for practical training above this level. Indian students already abroad may carry on direct correspondence with the Mission concerned, and copies of such correspondence need not necessarily be sent to the Government of India.

(6) Requests for the recovery of loans from private Indian students, as well as requests for the reception for the students returning to India on ground of health should not be addressed to the Ministry of Human Resource Development, if the student concerned is studying/undergoing practical training on his own or under the auspices of the State Government. All such correspondence should be addressed direct to the State Government concerned.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**S.V.PRASAD
CHIEF SECRETARY TO GOVERNMENT**

To
The P.S to Prl Secretary to Chief Minister,
The Private Secretary to Chief Secretary to Govt.,
All P.Ss to Spl. Chief Secys/ Prl.Secys/Secys/Addl.Secys/Jt.Secys,
Copy to
The Cabinet Secretary,
Government of India,
New Delhi.
P.S. to All Ministers,
All Officers and all Sections in General Administration Department,
All Departments of Secretariat.
SF/SC

// FORWARDED BY ORDER //

SECTION OFFICER